

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEPHANIE GORDON,

Plaintiff

v.

STOR UR STUFF and RICK COLSTON,

Defendants

Case No.: 2:20-cv-00139-APG-NJK

**Order Accepting Report and
Recommendation, Denying Application to
Proceed In Forma Pauperis, and
Dismissing Case**

[ECF Nos. 1, 7]

On April 16, 2020, Magistrate Judge Koppe recommended that I dismiss this case without prejudice to the plaintiff filing her lawsuit in state court because it is clear no subject matter jurisdiction exists in this court. ECF No. 7. Judge Koppe also recommended that I deny as moot the application to proceed in forma pauperis. *Id.* Plaintiff Stephanie Gordon did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the report or specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Koppe’s report and recommendation (**ECF No. 7**) is **accepted**, plaintiff Stephanie Gordon’s complaint (ECF No. 1-1) is dismissed without prejudice to her filing it in state court, and the application for leave to proceed in forma pauperis (**ECF No. 1**) is **DENIED as moot**. The clerk of court is instructed to close this case.

DATED this 8th day of May, 2020.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE